

III. REMARKS

The specification has been amended to include Section Headings in accordance with MPEP § 608.01(a). The specification has also been amended to correct incorporation of material by reference, in accordance with 37 C.F.R. § 1.57(g), so as to comply with 37 C.F.R. § 1.57(b).

The preambles of claims 1, 8, 9, and 11-16 have been amended to improve clarity. Claim 2 has been amended to address a minor informality. These amendments to the claims have no limiting effect on the scope of the claims.

Claim 1 has also been amended to recite that the “timebase” is “connected to deliver a first time-related piece of information to first indicator means” and “connected to deliver a second time-related piece of information to a control circuit” as shown in Figure 2 of the application as originally filed. Claim 1 has also been amended to recite that the “control circuit” is “connected to activate said second indicator means” as shown in original Figure 2.

The present amendment adds no new matter to the application.

A. The Invention

The present invention pertains to an electronic timepiece that includes features for supplying information to a user relating to a plurality of events, such as occur at multi-event functions like the Olympic Games, the World Cup of Soccer, public holiday gatherings, and the like. In particular, in accordance with the present invention, an electronic timepiece having all of the features recited in claim 1 is provided. Various other embodiments of the present invention are recited in the dependent claims.

An advantage provided by all of the electronic timepiece embodiments of the present invention is that the timepiece is able to indicate a plurality of simultaneous events in a precise manner in terms of time-related and non time-related information pertaining to the simultaneous events.

B. The Rejections

Claims 1-4, 7, 8, 11-13, 15 and 16 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Burkhardt et al. (German Patent DE 199 11 008 A1, hereafter, the “Burkhardt Reference”) in view of Svast (U.S. Patent 5,199,009, hereafter, the “Svast Patent”). Claim 5 stands rejected under 35 U.S.C. § 103(a) as unpatentable over the Burkhardt Reference in view of the Svast Patent, and further in view of Dinger (U.S. Patent 6,272,076 B1, hereafter, the “Dinger Patent”). Claim 6 stands rejected under 35 U.S.C. § 103(a) as unpatentable over the Burkhardt Reference in view of the Svast Patent, and further in view of Matsumoto (U.S. Patent 5,892,455, hereafter, the “Matsumoto Patent”). Claims 9, 10 and 14 stand rejected under 35 U.S.C. § 103(a) as unpatentable over the Burkhardt Reference in view of the Svast Patent, and further in view of Narayanaswami (U.S. Patent 6,556,222 B1, hereafter, the “Narayanaswami Patent”).

Applicant respectfully traverses the rejection and requests reconsideration of the application for the following reasons.

C. Applicant’s Arguments

A prima facie case of obviousness requires a showing that the scope and content of the prior art teaches each and every element of the claimed invention, and that the prior art provides some teaching, suggestion or motivation to combine the references to produce the

claimed invention. In re Oetiker, 24 U.S.P.Q.2d 1443 (Fed. Cir. 1992); In re Vaeck, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

In the present case, the Examiner's Section 103 rejection is untenable and should be withdrawn because the scope and content of the teachings of the art of record is insufficient to sustain the rejection.

i. The Burkhardt Reference

The Burkhardt Reference teaches, as shown in Figure 1, a clock or watch for display of events occurring within a year, wherein the clock has an additional year hand and the clock face shows events such that the year hand falls on the shown events on the correct date in the year (See Delphion Title of the Delphion Integrated View, filed herewith). In particular, the clock or watch shown in Figure 1 has conventional hands (7, 8, 9) and an additional hand (10) that rotates once a year (See English Derwent Abstract of Delphion's Derwent Record, filed herewith). The watch face (4) displays events that occur during the year so that the additional hand (10) falls on the event on that day in the year (See Derwent Record).

Persons skilled in the art would realize that hands (7), (8) and (9) are used to indicate time-related information such as hours, minutes and seconds. On the other hand, the hand (10) indicates non-time related information (i.e., places, such as Spain, Malaysia, Germany, etc.). Furthermore, the hand (10) is capable of designating only one of the non-time related indications (i.e., places) per week. In contrast, the "electronic timepiece," in accordance with claim 1 of the present invention, includes "second indicator means capable of simultaneously designating several non time-related indications/symbols relating to one or more events occurring from among said plurality of scheduled events."

The Burkhardt Reference does not teach, or even suggest, this limitation of claim 1. On the contrary, the Burkhardt Reference teaches that hand (10) is capable of only designating one non time-related indication at a time as conceded by the Examiner (Office Action, dated June 1, 2005, at 3, lines 3-7).

This is not the only deficiency of the teachings of the Burkhardt Reference, which also does not teach, or even suggest, “a control circuit” including (i) “storage means in which data is stored relating to the scheduling of said plurality of events” and (ii) “comparison means for coupling said stored data with the second time-related piece of information,” wherein (iii) “said control circuit” is connected to activate “said second indicator means in response to a control signal from said comparison means” as recited in claim 1. It is plain that the device taught by Burkhardt does not have “comparison means for comparing said stored data with the second time-related piece of information” as recited in claim 1.

However, these are not the only deficiencies of the teachings of the Burkhardt Reference. As conceded by the Examiner, the Burkhardt Reference also does not teach, or even suggest, “fixed indicators are light emitting diodes arranged in a ring facing said indications/symbols” as recited in claim 5 (June 1st Office Action, at 3, lines 3-5); “second indicator means are formed by a liquid crystal cell arranged above the dial, capable of masking or leaving visible each of said indications/symbols” as recited by claim 6 (June 1st Office Action, at 7, lines 3-4); “means for receiving external signals for loading said data relating to the scheduling of said plurality of events” as recited by claims 9 and 14 (June 1st Office Action, at 7, lines 16-19); and “reception means are means for receiving modulated acoustic signals” (June 1st Office Action, at 8, lines 11-14) as recited by claim 10 of the present application.

ii. The Svast Patent

The Svast Patent teaches a “reminder clock” such as shown in Figures 1 and 2, which is a clock (10) that includes a microprocessor controller (12) coupled to various peripherals for receiving control inputs from these peripherals and for providing control outputs to these peripherals (col. 3, lines 11-18). The clock is programmable and includes a memory for storing times, dates and messages for subsequent read-out and display (See Abstract). As shown in Figure 2, the clock (10) includes a control and display arrangement (60) having an analog and digital clock display (16) as well as an alphanumeric day and date display (26). Disposed around the clock display (16) are twelve analog hour displays (66), each of which represents an hour indicator on the display (16) and is generally comprised on an LED or LCD (col. 5, lines 28-32). An LED clock display (20) is also provided.

Applicant contends that a person of ordinary skill in the art would realize that the LEDs or LCDs of the clock display (16) are employed for indicating times of specific events. Furthermore, a person of ordinary skill in the art would realize that the reminder clock (10) taught by the Svast Patent does not relate to providing reminders for a plurality of scheduled events that are connected to each other.

The Svast Patent also teaches an LED message selector and display (28) for providing stored message information for recall over the next several days (col. 4, lines 47-50). Each selector LED (28) represents a given day, and there are seven such selector LEDs representing the seven days of the week (col. 4, lines 50-54). Each selector LED (28) may be manually engaged by a user to display all of the messages for the selected day (col. 4, lines 54-57). Illumination of one of the LED message displays (28) indicates

reminder message information stored in memory for recall and display on the control and display arrangement (60) for that particular day (col. 6, lines 52-56). In particular, the Svast Patent teaches that illumination of the LED message display on the left indicates that the reminder message information displayed on the clock (16) is for the current day (col. 6, lines 56-59).

Because the LEDs of the LED message display (28) indicate the current day and the six incoming days, a person of ordinary skill in the art would recognize that these LEDs are time-related indicators/symbols. Consequently, the LED message display (28) and its LEDs cannot be reasonably construed as “second indicator means capable of simultaneously designating several non time-related indications/symbols...” in accordance with the present invention. The fact that when one of the LEDs of the display (28) is selected some other display (26) displays non time-related data is not relevant to the presently claimed invention.

Thus, the Svast Patent does not teach, or even suggest, that the LED display (28) is operable to simultaneously designate several non time-related indications/symbols relating to one or more events occurring from among a plurality of scheduled events. Consequently, the Svast Patent does not reasonably teach, or even suggest, “second indicator means capable of simultaneously designating several non time-related indications/symbols relating to one or more events occurring from among said plurality of scheduled events” as recited in claim 1.

This is not the only deficiency of the teachings of the Svast Patent, which also does not teach, or even suggest, “a control circuit” including (i) “storage means in which data is stored relating to the scheduling of said plurality of events” and (ii) “comparison means for coupling said stored data with the second time-related piece of information,” wherein

(iii) “said control circuit” is connected to activate “said second indicator means in response to a control signal from said comparison means” as recited in claim 1. It is plain that the device taught by Svast does not have “comparison means for comparing said stored data with the second time-related piece of information” as recited in claim 1.

However, these are not the only deficiencies of the teachings of the Svast Patent. As conceded by the Examiner, the Svast Patent also does not teach, or even suggest, “fixed indicators are light emitting diodes arranged in a ring facing said indications/symbols” as recited in claim 5 (June 1st Office Action, at 3, lines 3-5); “second indicator means are formed by a liquid crystal cell arranged above the dial, capable of masking or leaving visible each of said indications/symbols” as recited by claim 6 (June 1st Office Action, at 7, lines 3-4); “means for receiving external signals for loading said data relating to the scheduling of said plurality of events” as recited by claims 9 and 14 (June 1st Office Action, at 7, lines 16-19); and “reception means are means for receiving modulated acoustic signals” (June 1st Office Action, at 8, lines 11-14) as recited by claim 10 of the present application.

iii. The Dinger Patent

The Dinger Patent teaches an “astronomic watch,” as shown in Figures 1 and 2, that has a bezel (23) with symbols (24) pertaining to heavenly bodies, wherein the bezel (23) is replaceable (col. 7, lines 44-51).

iv. The Matsumoto Patent

The Matsumoto Patent teaches an “analog wrist watch and pager providing message display on cover glass,” as shown in Figure 3(a), wherein an LCD is integrated with the

cover glass of the wrist watch paging receiver, which indicates time data with a dial plate (13) and watch hands (14), and a message is displayed on cover glass (25) by controlling the LCD (8) on the glass (See Abstract).

v. The Narayanaswami Patent

The Narayanaswami Patent teaches a “bezel based input mechanism and user interface for a smart watch,” wherein a wrist watch device (10) is provided with a main card (50) housing the core processing unit, I/O, and memory so the device (10) is operable to wirelessly access information (col. 2, lines 53-57) using an operating system (210), and the device (10) may include a synchronization manager (10) which could begin an update to a calendar event (col. 6, line 43, to col. 7, line 9).

vi. The Pennington Patent

U.S. Patent 6,414,907 B1 to Pennington (hereafter, the “Pennington Patent”) teaches an “athletic event schedule watch,” as shown in Figure 1, which is an electronic event scheduler (See Abstract). However, the Pennington Patent fails to teach, or even suggest, “second indicator means capable of simultaneously designating several non time-related indications/symbols relating to one or more events occurring from among said plurality of scheduled events” as recited in claim 1. The Pennington Patent also fails to teach, or even suggest, “a control circuit” including (i) “storage means in which data is stored relating to the scheduling of said plurality of events” and (ii) “comparison means for coupling said stored data with the second time-related piece of information,” wherein (iii) “said control circuit” is connected to activate “said second indicator means in response to a control signal from said comparison means” as recited in claim 1.

vii. The Reisman Reference

International Application No. WO 02/09490 A1 to Reisman (hereafter, the “Reisman Reference”) teaches a “flight watch with multiple timers and alarms” (See Abstract, and Figure 1). The Reisman Reference teaches a watch to be worn by pilots of aircraft for the purpose of alerting the pilot of multiple sequenced event occurrences in a failsafe manner. The watch is provided with six in-flight timers (61-65), (see Figure 5), that allow the pilot comprehensive user programmable features in order to meet the needs of a given flight. The watch is designed to assist the pilot in his awareness of engine time, countdown run time, fuel tank switching time, etc. (See Abstract). However, only one non-time related data among the plurality of sequenced events can be displayed at the same time. The watch taught by Reisman does not permit displaying simultaneously several non time-related indications/symbols relating to one or more events from among the plurality of sequenced events. Consequently, the Reisman Reference does not teach, or suggest, “second indicator means capable of simultaneously designating several non time-related indications/symbols relating to one or more events occurring from among said plurality of scheduled events” as recited in claim 1. Furthermore, the Reisman Reference also fails to teach, or even suggest, “a control circuit” including (i) “storage means in which data is stored relating to the scheduling of said plurality of events” and (ii) “comparison means for coupling said stored data with the second time-related piece of information,” wherein (iii) “said control circuit” is connected to activate “said second indicator means in response to a control signal from said comparison means” as recited in claim 1.

viii. Summary of the Art

Neither the Burkhardt Reference, the Svast Patent, the Dinger Patent, the Matsumoto Patent, the Narayanaswami Patent, the Pennington Patent, nor the Reisman Reference teach, or even suggest, the following: (a) “second indicator means capable of simultaneously designating several non time-related indications/symbols relating to one or more events occurring from among said plurality of scheduled events” and (b) “a control circuit” including (i) “storage means in which data is stored relating to the scheduling of said plurality of events” and (ii) “comparison means for coupling said stored data with the second time-related piece of information,” wherein (iii) “said control circuit” is connected to activate “said second indicator means in response to a control signal from said comparison means” as recited in claim 1.

In the present case, the scope and content of the art of record is insufficient to teach all of the elements of the claimed invention. Therefore, the Section 103 rejection is clearly untenable and should be withdrawn.

ix. Rejection is based on Improper Hindsight

The Federal Circuit has ruled that individual references cannot be employed as a mosaic to recreate a facsimile of the claimed invention; rather, there must be some prior teaching, suggestion, or incentive to make the combination made by the inventor. Northern Telecom, Inc. v. Datapoint Corporation, 15 U.S.P.Q.2d 1321, 1323 (Fed. Cir. 1990).

In the present case, the Examiner has not shown that a prior teaching, suggestion, or incentive existed to make the combination of the Burkhardt Reference with the Svast Patent. Specifically, the Examiner concedes that the Burkhardt Reference fails to teach “second indicator means capable of simultaneously designating several non time related

indication/symbols” (emphasis added)(Office Action, dated June 1, at 3, lines 3-7). The Examiner asserts that the Svast Patent teaches the use of LED or LCD as indicators of times of specific events (Office Action, dated June 1, 2005, at 3, lines 8-10). The Examiner then concludes that it would be obvious to use the LED or LCD, which Svast teaches are used to indicate time, for the purpose of simultaneously designating several non time-related indication/symbols (Office Action, dated June 1, 2005, at 3, lines 11-16).

The Examiner’s obviousness conclusion is facially flawed because Svast teaches employing LEDs or LCDs to indicate time related information. The Svast Patent does not teach the use of LEDs, LCDs, or other structure, to simultaneously designate several non time-related indications/symbols relating to one or more events occurring from among a plurality of scheduled events. In particular, the subject matter of the Svast Patent does not even relate to a plurality of scheduled events connected to each other, which further erodes the Examiner’s contention that the reference provides a teaching, suggestion, or incentive to combine with the Burkhardt Reference.

For all of the above reasons, Applicant has shown that the Examiner has not provided a suggestion, teaching, or incentive grounded in the prior art to justify the combination of the Burkhardt Reference and the Svast Patent.

IV. Conclusion

The Section 103 rejection standing against the instant claims is untenable and must be withdrawn because the scope and content of the art is insufficient to sustain even a prima facie showing of obviousness. Furthermore, the Section 103 rejection is untenable and should be withdrawn because there is no proper teaching, suggestion, or incentive grounded in the art to sustain the rejection. In particular, the Examiner concedes that the

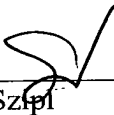
Burkhardt Reference does not teach “second indicator means capable of simultaneously designating several non time-related indications/symbols relating to one or more events occurring from among said plurality of scheduled events,” and then applies structure taught by the Svast Patent for indicating time related data to make up the deficiency. However, there is simply no motivation to justify applying Svast’s structures for indicating time related information as a structure for designating non time-related indications/symbols.

For all of the above reasons, claims 1-16 are in condition for allowance and a prompt notice of allowance is earnestly solicited.

Questions are welcomed by the below-signed attorney for Applicant.

Respectfully submitted,

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